

Council Meeting
July 15, 2008 – 5:00 pm

The meeting was called to order by President Spaetti. Councilmen Spaetti, Ebert, Kroeger, Winsett, Kress, Cochenour, Bunner, and Attorney Wetherill were present.

LEDC

Tom Utter of LEDC gave the commissioners a brief project update, stating that all of the projects, including the coal gasification plant, biofuels plant, Indiana Properties, and Mid-American Terminals are all still moving forward. He also stated that he is always available for question.

Animal Control Report

Commissioner Gogel stated that the animal control board has contacted all of the incorporated towns asking for help to fund the animal control building. Several stated that they would consider putting funding in their budgets.

Minutes

06/10/2008 minutes; Cochenour made a motion to approve the minutes. Kress seconded. All in favor.
06/17/2008 minutes; Winsett made a motion to approve the minutes. Bunner seconded. All in favor.

Assessor Plan

Assessor Arnold stated that on July 1, 2008 all assessing duties were turned over to her office from the township assessors. She stated that due to the increase in work load she would like to hire an additional person right away and a computer for them to use. She further stated that she has obtained a proposal on outsourcing all new construction. Without outsourcing, Arnold said she would need to hire two additional people instead of one. She stated that all additional expenses can be taken out of the reassessment fund.

Spaetti asked if all of the trustees turned over everything to her office. Arnold said yes. She added that none of the township assessor / trustees were interested in applying for a job in her office.

Council Meeting 07/15/2008 cont.

Ebert asked if this will save money in the long run. Arnold said no; the state's focus was more on the accountability of the township assessors.

Kroeger said there will be other things that will need to be considered before budget time. Winsett stated that this should not come as a surprise to anyone.

Ebert stated that the taxes on his farm ground went up in Perry and Spencer County; he said he thought land owners were supposed to see relief. Arnold said the base rates for agricultural land did increase and next year it will be going up again.

Additional Appropriations

Reassessment –

Salary/Social Security & Medicare/Computer & Installation - Winsett made a motion to approve the additional from reassessment, requested by Arnold, in the amount of \$11,300. Cochenour seconded. All in favor.

County General –

Plan Commission Legal Services – Wetherill stated that unexpected legal research has been necessary and the plan commissioner requests an additional of \$2,500. Ebert made a motion to approve. Cochenour seconded. All in favor.

Commissioner/Inmate Housing – Shelton explained that inmate housing pays for juvenile offenders and offenders with severe medical problems. Kroeger made a motion to approve \$10,000. Kress seconded. All in favor.

County Council Legal Services – Ebert made a motion to approve an additional for legal services in the amount of \$2,000. Kress seconded. All in favor.

Chamber of Commerce

Kathy Tretter, president of the local Chamber of Commerce, thanked the council for their participation in the facilitated meetings for the Luce Township sewer project. She explained that when the chamber offered to pay for the facilitator the original estimate of the cost was \$6,500. She stated the final bill was \$9,750. She asked if the county would be willing to contribute the difference. Spaetti said that the difference of \$2,250 will be advertised in the additional for next month and the council will discuss if and how much the county can contribute.

Ebert thanked Tretter and the chamber for the work they have done.

LTRSD

LTRSD Board Member Matt Steinkamp presented a letter to the council from the board requesting that the COIT payments be reinstated. The letter stated that the board assures the council that great effort is continuing on the part of the LTRSD Board to have quality sewers installed within the established boundaries of the district. Steinkamp further stated that it was a shame that there was not more community involvement in the facilitated meetings. He thanked the chamber for hosting and paying for the meetings. Steinkamp stated that the meetings reinforced that the original plan is feasible.

Ebert asked if the incorporation of Richland will have any effect on the project. Steinkamp said the incorporation is a positive step. It shows the residents are looking for ways to move the community forward.

Steinkamp stated that re-committing the COIT funds to the sewer district will let people know that the project is not dying on the vine. The biggest question he said he has received is, "Is it really going to happen?" Landowners do not want to dirty up their abstract if it is not going to happen. The review showed that the project is sound. He said the facilitation has given the new board an opportunity to step back and re-review with those who have not signed and answer their questions and concerns.

Bunner asked what the percentages are for the signed easements. Steinkamp was not sure of the numbers. Sewer Board President Grady Gordon stated that there are 800 landowners total, 392 have signed for a percentage of 49% and there are a total of 1,349 easements needed, 645 easements signed for a percentage of 48%. Gordon stated that the board is moving forward to get the rest of the easements.

Gordon further stated that all of the sewer board records are publicly available at the office and the library. Steinkamp is also working on a website with the help of Sue Ellpermann. Gordon said the board is being

transparent, open and honest, and will continue to address every question asked of it. He said the board has been sorting through all of the data and is now ready to make that data available to the residents.

Spaetti asked who owned the engineering work that has been done. Gordon said the sewer district owns it, the only thing that needs to be done is get the easements signed.

Board member Ed Ingram said there have been no new easements signed. He said people have told him that as long as the plan is to go to Rockport, they will not sign. He said there are alternatives out there and they are not being explored. Spaetti asked Ingram if he felt an agreement can be reached. Ingram said Commonwealth Engineering has asked for another \$56,000 to finish the job, so it is not ready for bid. Board member Wayne Bond stated that he has a report that the council needs to see showing the faults in the data used in the facilitated meeting. He said the letter presented by Steinkamp was voted on 5 to 3. He said he can engineer a system right now for Richland alone.

Kroeger stated that the issue of what system should be put in cannot be resolved here. He said what is under consideration by the board is the ordinance which was read at a prior meeting (Ordinance 2008-08) which would give the sewer district a good faith payment of \$150,000 with no obligation to continue with any other payments. He said the community needs to make the decision on the type of system. He said that if the current project goes forward then the council will continue to fund as originally planned; if the project changes, then the council would re-negotiate the funding. Spaetti asked Wetherill if a good faith payment would lock the council into all of the rest of the payments. Wetherill stated no, he did not feel it would lock the council into making all of the payments.

Steinkamp stated that the majority of the board does agree that the current project is the way to go. The district will go forward with a new board on contacting residents and working to get the easements.

Winsett said he read an ordinance that said that loan payments cannot be made with COIT funds. Board Attorney Robinson said that was not true. COIT funds can be used to pay debt incurred. Ebert said that is for the sewer board to worry about if it is legal or not. He said the council has done all it can do and whatever system is put in, it is beneficial.

Kroeger made a motion to approve Ordinance 2008-08. Wetherill read Section One as follows:

Section One. The Spencer County Council, in light of the uncertainty as to which sewer project in Luce Township will be developed, shall not make the May 2008 payment of \$75,000 as committed under Ordinance 2002-8, and do hereby pledge that the Council will make a good faith payment (under no obligation of Ord. 2002-8) before December 31, 2008, of \$150,000.00, and any future payments will require a new memorandum of understanding (MOU) between LTRSD and the County.

Cochenour said that seven citizens from the community attended the meeting who were not on the board or council. He said that shows that there is no public input in the project. He said that during the facilitation four of the seven people chose "do nothing" as the preferred option. He added that without public support this project will not go. Bunner stated that he agreed that public support is needed, but he felt that this is the last opportunity for the district to acquire easements in an appropriate fashion. Winsett stated that he has not seen any movement forward in any way and if the council gives them the money, one year from now there will still be no more easements. Kress stated that two months ago he would have agreed but now he agrees with Bunner that they should be given a chance with the new board to get the easements. Ebert stated that he respects Cochenour's comments but doing nothing is not an option; a system is needed.

Ebert seconded the motion to approve Ordinance 2008-08.

Spaetti called for a vote. Bunner, Spaetti, Ebert, Kroeger, and Kress voted to sign the ordinance.

Cochenour and Winsett opposed. The motion passed with a vote of five to two.

Gordon thanked the council for allowing the board to move forward.

Kroeger left the meeting.

Additional Appropriations Continued

County General –

Sheriff Gas, Oil & Lube – Sheriff Lindsey requested \$35,000, but he said he may be able to get by with \$20,000. Ebert made a motion to approve \$20,000. Kress seconded. All in favor.

Jail Medical, Hospital & Dental – Lindsey explained that they have had an inmate have a heart attack, another that has to have surgery every eight weeks on his throat, and several old bills were just received. He requested \$40,000 additional. Bunner made a motion to approve \$30,000. Ebert seconded. All in favor.

Pre-Trial Diversion -

Prosecutor/ Cleaning Supplies – Chief Deputy Prosecutor Wilkinson requested \$250 for cleaning supplies for the prosecutor’s office.

Prosecutor/ Miscellaneous – Wilkinson requested \$250 for miscellaneous supplies including water for the office. Ebert made a motion to approve both requests. Kress seconded. All in favor.

Law Enforcement Fund –

Monitor – Wilkinson explained that the Law Enforcement Fund is money that has been seized in drug raids and then the money is used to help the local police departments. He stated that Detective Price has requested a monitor to use with a computer which was seized to help him in future investigations. The original request was for \$370, but a monitor was found for \$280. Ebert made a motion to approve \$280. Bunner seconded. All in favor.

Tasers – Wilkinson stated that the Rockport City Police Department requested the purchase of five tasers earlier in the year and the approved amount was not enough; they requested an additional \$515 for the tasers. Cochenour made a motion to approve \$515. Ebert seconded. The motion passed five to one, with Winsett opposing. Winsett stated that requests should be put in at budget time.

Rainy Day Fund –

EMA/ Equipment – The request for \$5,700 was tabled since EMA Director Perdue was unable to attend.

Tranfers

Jail – Sheriff Lindsey requested that Senior Jailer be decreased \$53,150 and Jailer be increased \$53,150. Bunner made a motion to approve the transfer. Cochenour seconded. All in favor.

EMA – The transfer request from EMA was tabled since Perdue was unable to attend.

Redevelopment Commission Appointment

Lueken explained that due to changes in the law the council needs to make two appointments to the Redevelopment Commission. As attorney for the Redevelopment Commission, Lueken recommended the appointment of Ron Pund and Gene Steinkamp. Ebert made a motion to appoint Pund and Steinkamp. Kress seconded. All in favor.

Bunner made a motion to adjourn. Ebert seconded. All in favor. The meeting was adjourned at 6:26 pm.

County Council,

_____ President	_____
_____	_____
_____	_____
Attest:	_____
_____	_____
Cindy Shelton, Auditor	_____
